

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

CLIFFORD SELBY and MARIE SELBY,

Plaintiffs,

vs.

EXTERIOR FORENSICS, INC., MARK  
MOLONY, and STATE FARM FIRE &  
CASUALTY COMPANY,

Defendants.

COURT OF COMMON PLEAS

CASE NO. 06-CP-10-4528

SUMMONS

(Jury Trial Requested)

ROBY SEASONS,  
CLERK ATTORNEY

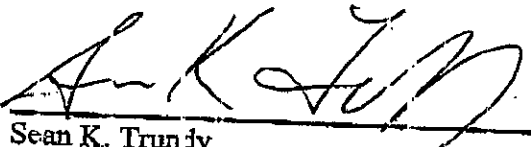
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JOLIE J. ARMSTRONG  
CLERK OF COURT

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TO THE DEFENDANTS ABOVE NAMED:

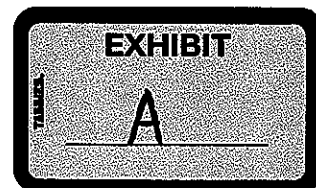
YOU ARE HEREBY SUMMONED and required to Answer the Complaint in the above action, a copy of which is herewith served upon you, and to serve a copy of your Answer on the subscriber at Post Office Box 41343, North Charleston, South Carolina 29423, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for the relief demanded in the said Complaint.



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ATTORNEY FOR THE PLAINTIFFS

November 14, 2006  
North Charleston, South Carolina



STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

CLIFFORD SELBY and MARIE SELBY,

Plaintiffs,

vs.

EXTERIOR FORENSICS, INC., MARK  
MOLONY, and STATE FARM FIRE &  
CASUALTY COMPANY,

Defendants.

COURT OF COMMON PLEAS

CASE NO. 06-CP-10- 4520

COMPLAINT

(Jury Trial Requested)

ROBERT S. SELBY  
CLAIMS ATTORNEY

DECEMBER 11 2006

FILED

JULIE J. ARMSTRONG  
CLERK OF COURT

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Plaintiffs CLIFFORD SELBY and MARIE SELBY ("the Selbys"), by and through their undersigned attorney, complain of the Defendants as follows:

### JURISDICTIONAL ALLEGATIONS

1. The Selbys currently live out of state, but were formerly residents of the Town of Mt. Pleasant, County of Charleston, State of South Carolina. They owned a house located at 3665 Colonel Vanderhorst Circle, Mt. Pleasant, South Carolina, 29464 ("the House").
2. Defendant Exterior Forensics, Inc. is a corporation organized and operating under the laws of the State of South Carolina with its principal place of business Charleston County, South Carolina.
3. Defendant Mark Molony is or was a resident of Charleston County, South Carolina.
4. Defendants Exterior Forensics, Inc. and Mark Molony will be collectively referred to as "Molony."
5. Defendant State Farm Fire and Casualty Company ("State Farm") is an insurer which

does business and enters into contracts in Charleston County.

6. This Court has subject matter jurisdiction over this case, personal jurisdiction over the Defendants, and venue is proper in this Court.

#### FACTUAL ALLEGATIONS

7. The Selbys sued Molony.
8. State Farm issued to Molony Policy No. 99-CN-1198-3, with a policy period of April 10, 2001 to April 10, 2002.
9. State Farm issued to Molony Policy No. 99-CS-6729-9, with a policy period of April 10, 2002 to April 10, 2003.
10. For a period of time, State Farm defended Molony in the Selby suit.
11. State Farm has defended Molony in several other Charleston County lawsuits arising out of property damage caused by Molony.
12. State Farm revoked the defense of Molony in the Selby suit.
13. State Farm contends that its policies do not provide coverage for the damages caused by Molony to the Selbys.
14. The Selbys have recovered a judgment in the amount of \$1,305,000.00 against Molony. (Exh. A).
15. Molony is unable to satisfy the judgment.
16. Molony fulfilled all of his duties to State Farm under the policies.
17. All conditions precedent to coverage have been met.

**FOR A FIRST CAUSE OF ACTION  
(Declaratory Judgment)**

18. The allegations of the preceding paragraphs are realleged as if repeated verbatim.
19. State Farm's policies provide coverage for the damages Molony caused to the Selbys.
20. The Selbys, as judgment holders, have standing to bring this action against State Farm for coverage.
21. Molony is an interested party whose rights will be adjudicated and affected by this lawsuit.
22. There exists a live, ripe, justiciable controversy among the parties.
23. The Selbys ask that the Court issue a declaratory judgment pursuant to S.C. Code Ann. Sec. 15-53-10 et seq. to declare that the State Farm policies provide coverage for the damages Molony caused to the Selbys.
24. A declaratory judgment from the Court will settle the legal rights of the parties.
25. The Selbys request that the Court issue any other legal or equitable relief necessary to effect the Court's declaratory judgment.

WHEREFORE, having fully stated their complaint, the Selbys pray for a declaratory judgment and such other and further relief as the Court may deem appropriate.

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SOUTH CAROLINA



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